

REMARKS

The Advisory Action mailed May 9, 2005 indicates that applicants arguments regarding the rejection over Lepran were not persuasive because applicants claims are not limited with regards to the time of administration and thus allow for pre-administration of moxoniodine as in Lepran. Applicants respectfully disagree. The claims specifically defines the patient to whom the active substance is administered as "a patient who **has** suffered a myocardial infarction" (emphasis supplied). A patient who has suffered a myocardial infarction does not exist until after the myocardial infarction occurs. Thus, the method, **as claimed**, cannot be carried out until after the myocardial infarction has occurred. Claim 1 has been amended to more specifically point out this fact. The claims of the instant application accordingly distinguish over the teachings of Lepran.

The application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the prosecution of the application for all concerned.

Application No. 09/917,858
Amendment
July 19, 2005

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #029300.50194).

Respectfully submitted,

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